

Docket No.
001/017 (1-3) USA

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR CENTRAL VENOUS LINE CATHETER HAVING A TEMPERATURE CONTROL SYSTEM

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on August 24, 2001 as United States Application No. or PCT International Application Number 09/939,239 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

<u>09/671,114</u>	<u>USA</u>	<u>9/28/00</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u>09/253,109</u>	<u>USA</u>	<u>2/19/99</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u>09/063,984</u>	<u>USA</u>	<u>4/21/98</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)

_____	_____
(Application Serial No.)	(Filing Date)

_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Arlyn Alonzo, Reg. No. 44,502

John Rogitz, Reg. No. 33,549

John McConaghy, Reg. No. 26,773

Trent Campione, Reg. No. 46,598

Peter Hsueh, Reg. No. 45,574

Send Correspondence to:

Arlyn Alonzo

15770 Laguna Canyon Rd, Suite 150

Irvine, CA 92618



29554

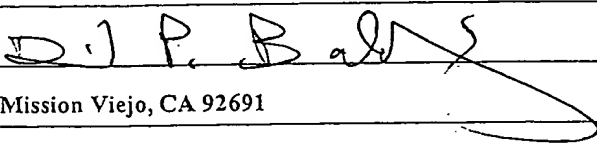
PATENT & TRADEMARK OFFICE

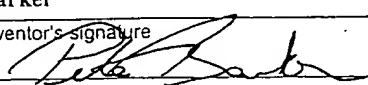
Direct Telephone Calls to: *(name and telephone number)*

Arlyn Alonzo (949) 453-0150 Ext. 146

Full name of sole or first inventor Blair D. Walker	
Sole or first inventor's signature <i>Blair D. Walker</i>	Date <i>9/6/01</i>
Residence 24742 San Doval Lane, Mission Viejo, CA 92691	
Citizenship USA	
Post Office Address	

Full name of second inventor, if any Scott M. Evans	
Second inventor's signature <i>Scott Evans</i>	Date <i>9/06/01</i>
Residence 1252 Country Hills Drive, Santa Ana, CA 92705	
Citizenship USA	
Post Office Address	

Full name of third inventor, if any David P. Balding	
Third inventor's signature 	Date 9/6/01
Residence 26552 Tampico Place, Mission Viejo, CA 92691	
Citizenship USA	
Post Office Address	

Full name of fourth inventor, if any Peter Barker	
Fourth inventor's signature 	Date 9/6/01
Residence 621 Garfield St., Oceanside, CA 92054	
Citizenship USA	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

PATENTS ONLY

Tab settings →

JAN 29 2002

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Scott M. Evans
Blair D. Walker
David P. Balding
Peter Barker

**COPY OF PAPERS
ORIGINALLY FILED**

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Alsus CorporationAddress: 15770 Laguna Canyon Road, Suite 150City: Irvine State/Prov.: CACountry: U.S.A. ZIP: 92618

Additional name(s) & address(es)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: September 6, 2001

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No.

Filing date

B. Patent No.(s)

09/939,239

August 24, 2001

Additional numbers

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Arlyn L. AlonzoRegistration No. 44,502Address: 15770 Laguna Canyon Road, Suite 150City: Irvine State/Prov.: CACountry: U.S.A. ZIP: 92618

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

8. Deposit account number:

501167

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Arlyn L. Alonzo

Name of Person Signing



Signature

9/21/01

Date

9

Total number of pages including cover sheet, attachments, and

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
001/017 (1-3) USA

This is an Assignment of the following rights, title and interest: (check all that apply):

- ☒ *United States of America rights, title and interest in the invention*
☐ *Foreign rights, title and interest in the invention*
☒ *United States Patent Application Serial No.* 09/939,239
Date of Execution: _____ *Date of Filing:* 8/24/2001
☐ *United States Provisional Patent Application Serial No.* _____
☐ *United States Patent No(s).* _____
☐ *International (PCT) Patent Application Serial No.* _____
☐ *Other (specify)* _____

Title of the Invention

METHOD FOR CENTRAL VENOUS LINE CATHETER HAVING A TEMPERATURE CONTROL SYSTEM

Inventors (assignors)

<i>Name</i>	<i>Address</i>
Blair D. Walker	24742 San Doval Lane, Mission Viejo, CA 92691
Scott M. Evans	1252 Country Hills Drive, Santa Ana, CA 92705
David P. Balding	26552 Tampico Place, Mission Viejo, CA 92691
Peter Barker	621 Garfield St., Oceanside, CA 92054

Assignee

<i>Name</i>	<i>Address</i>
ALSIUS CORPORATION	15770 Laguna Canyon Road, Suite 150, Irvine, CA 92618

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
001/017 (1-3) USA

Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;

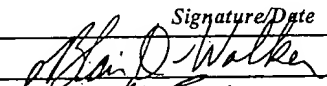
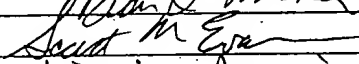
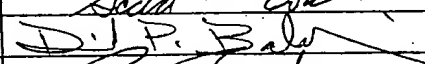
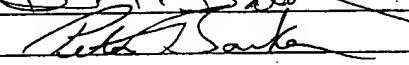
Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)

Name	Signature/Date
Blair D. Walker	 9/6/01
Scott M. Evans	 9/6/01
David P. Balding	 9/6/01
Peter Barker	 9/6/01

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
001/017 (1-3) USA

Notarization

(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

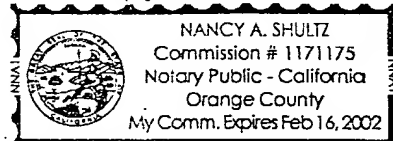
Executed this 6TH day of SEPTEMBER, in the year 2001
at IRVING, CALIFORNIA

Blair D. Walker

(Signature of Inventor)

State of CALIFORNIA

County of ORANGE



Before me personally appeared Blair D. Walker

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 6TH day of SEPTEMBER, in the year 2001

Nancy A. Shultz

(Notary Public)

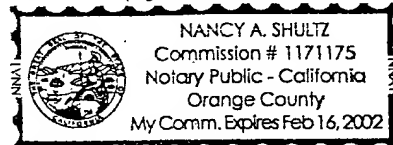
Executed this 6TH day of SEPTEMBER, in the year 2001
at IRVING, CALIFORNIA

Scott M. Evans

(Signature of Inventor)

State of CALIFORNIA

County of ORANGE



Before me personally appeared Scott M. Evans

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 6TH day of SEPTEMBER, in the year 2001

Nancy A. Shultz

(Notary Public)

Executed this 6TH day of SEPTEMBER, in the year 2001
at IRVINE, CALIFORNIA

David P. Bald

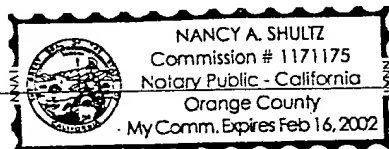
(Signature of Inventor)

State of CALIFORNIA

County of ORANGE

Before me personally appeared David P. Balding

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 6TH day of SEPTEMBER, in the year 2001



Nancy A. Shultz

(Notary Public)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

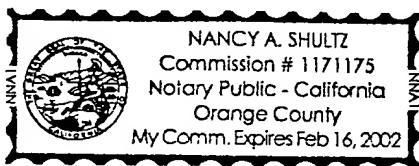
State of CALIFORNIA

County of ORANGE

On SEPTEMBER 6, 2001 before me, NANCY A. SHULTZ
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared BLAIR D. WALKER
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nancy A. Shultz
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer
 Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer
 Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Top of thumb here

Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

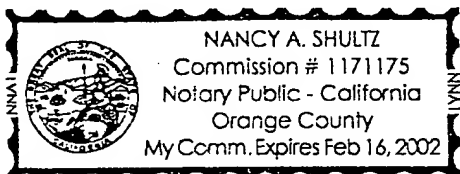
State of CALIFORNIA

County of ORANGE

On September 6, 2001 before me, NANCY A. SHULTZ
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared SCOTT M. EVANS
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nancy A. Shultz
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer

Title(s): _____

- ☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer

Title(s): _____

- ☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

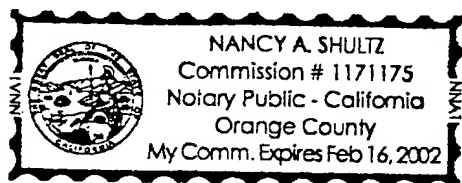
State of CALIFORNIA

County of ORANGE

On September 6, 2001 before me, NANCY A. SHULTZ,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared DAVID P. BALDING,
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nancy A. Shultz
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
001/017 (1-3) USA

Notarization

(Although notarization is not necessary, it will be considered prima facie evidence of execution pursuant to 35 U.S.C. 261.)

Executed this 07th day of SEPTEMBER, in the year 2001
at IRVINE, CALIFORNIA

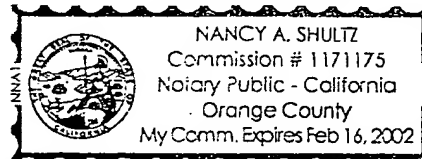
State of CALIFORNIA

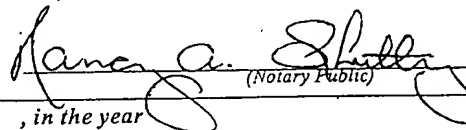
County of ORANGE

Before me personally appeared Peter Barker

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this 07th day of SEPTEMBER in the year 2001


(Signature of Inventor)




(Notary Public)

Executed this _____ day of _____, in the year _____
at _____

(Signature of Inventor)

State of _____

County of _____

Before me personally appeared _____

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this _____ day of _____ in the year _____

(Notary Public)

Executed this _____ day of _____, in the year _____
at _____

(Signature of Inventor)

State of _____

County of _____

Before me personally appeared _____

who acknowledged the foregoing instrument to be a free act and deed and also represented that he or she is authorized to execute the same this _____ day of _____ in the year _____

(Notary Public)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

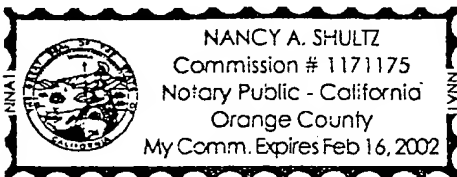
State of CALIFORNIA

County of ORANGE

On September 6, 2001 before me, NANCY A. SHULTZ,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared PETER BARKER,
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Nancy A. Shultz
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer
- Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

- ☐ Individual
- ☐ Corporate Officer
- Title(s): _____
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here